

# **EXHIBIT 12**

**Simmons, Justin**

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**From:** Kathy Barnes <kbarnes@watttieder.com>  
**Sent:** Thursday, October 20, 2022 10:39 PM  
**To:** Stemland, Karen; Scott Fitzsimmons; Sarah Bloom; Brandon Regan; Edward Parrott  
**Cc:** 'Conley, Todd'; 'Golimowski, Jeff'; Treece, Joshua; Hollis, Jon; Simmons, Justin  
**Subject:** RE: BAE v. Fluor - Case No. 7:20-CV-00587 - First Round of Depositions

**\*\*EXTERNAL EMAIL\*\***

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Counsel-

The following is Fluor's preliminary list of BAE witnesses to be deposed during the initial round of depositions. Please provide us with available dates in November and December for each potential deponent.

1. Kelly Bate
2. Robert Creed
3. Judith Eastwood
4. Kelly Jones
5. Reed McPeak
6. Mike Signorelli
7. Derek Wolfe
8. Carl Ross Works

Fluor reserves the right to modify this list of deponents to include additional individuals or to exclude individuals identified above. Please also note that the list is provided in alphabetical order only. Fluor will determine the order of the depositions as we receive information regarding the availability of the witnesses.

Finally, Fluor intends to depose at least two (2) Lauren witnesses. We will follow up with potential dates for these depositions.

Best Regards,

*Kathleen Olden Barnes* | Senior Partner



WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P. 1765 Greensboro Station Place, Suite 1000 McLean VA 22102  
p: 703-749-1000 | e: [kbarnes@watttieder.com](mailto:kbarnes@watttieder.com)

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**From:** Stemland, Karen <kstemland@woodsrogers.com>  
**Sent:** Thursday, October 20, 2022 5:11 PM  
**To:** Kathy Barnes <kbarnes@watttieder.com>; Scott Fitzsimmons <sfitzsimmons@watttieder.com>; Sarah Bloom <sbloom@watttieder.com>; Greg Wagner <gwagner@watttieder.com>; Brandon Regan <bregan@watttieder.com>; Edward Parrott <eparrott@watttieder.com>  
**Cc:** 'Conley, Todd' <Todd.Conley@wbd-us.com>; 'Golimowski, Jeff' <Jeff.Golimowski@wbd-us.com>; Treece, Joshua

<jtreece@woodsrogers.com>; Hollis, Jon <jhollis@woodsrogers.com>; Simmons, Justin <jsimmons@woodsrogers.com>

**Subject:** RE: BAE v. Fluor - Case No. 7:20-CV-00587 - First Round of Depositions

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Good afternoon, counsel:

Please see BAE's below list of proposed deponents for the first round of depositions.

Please let us know available dates, and we will coordinate scheduling.

1. Roy Harris
2. Robert Legler
3. Tom D'Agostino
4. Alex Sexton
5. Beverly Cleveland
6. Kent Smith
7. Jim Worcester
8. Tom Moran
9. Robert Griffith

BAE reserves the right to alter this list based on Fluor's upcoming productions and privilege downgrades.

BAE will also be deposing Wade Anderson from Burns & McDonnell, as previously noted.

Thanks,

Karen

**Karen Stemland**  
Of Counsel

**Woods Rogers Vandeventer Black PLC**

123 East Main Street, 5th Floor | Charlottesville, VA 22902

P (434) 220-6826 | M (412) 334-7946 | F (434) 220-5687

[kstemland@woodsrogers.com](mailto:kstemland@woodsrogers.com)

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**From:** Kathy Barnes <[kbarnes@watttieder.com](mailto:kbarnes@watttieder.com)>

**Sent:** Friday, October 7, 2022 3:54 PM

**To:** Simmons, Justin <[jsimmons@woodsrogers.com](mailto:jsimmons@woodsrogers.com)>; Scott Fitzsimmons <[sfitzsimmons@watttieder.com](mailto:sfitzsimmons@watttieder.com)>; Sarah Bloom <[sbloom@watttieder.com](mailto:sbloom@watttieder.com)>; Greg Wagner <[gwagner@watttieder.com](mailto:gwagner@watttieder.com)>; Brandon Regan <[bregan@watttieder.com](mailto:bregan@watttieder.com)>; Edward Parrott <[eparrott@watttieder.com](mailto:eparrott@watttieder.com)>

**Cc:** 'Conley, Todd' <[Todd.Conley@wbd-us.com](mailto:Todd.Conley@wbd-us.com)>; 'Golimowski, Jeff' <[Jeff.Golimowski@wbd-us.com](mailto:Jeff.Golimowski@wbd-us.com)>; Treece, Joshua <[jtreece@woodsrogers.com](mailto:jtreece@woodsrogers.com)>; Stemland, Karen <[kstemland@woodsrogers.com](mailto:kstemland@woodsrogers.com)>; Hollis, Jon <[jhollis@woodsrogers.com](mailto:jhollis@woodsrogers.com)>

**Subject:** RE: BAE v. Fluor - Case No. 7:20-CV-00587 - Deposition of Wade Anderson